

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 3688 of 2022

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RAVINDRA S/O MANARAM DHUDARAM VISHNOI
Versus
STATE OF GUJARAT

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Appearance:

MR. NISARG D SHAH(7299) for the Applicant(s) No. 1,2
SUNIL H PRAJAPATI(8350) for the Applicant(s) No. 1,2
MR PRANAV TRIVEDI, ADDITIONAL PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI

Date : 28/02/2022

ORAL ORDER

1. This application has been filed under Section 439 of the Code of Criminal Procedure for regular bail in connection with the First Information Report being C.R. No.11195019220062 of 2022 registered with Deesa Rural Police Station, District Banaskantha for the offences punishable under Sections 65(A)(E), 81, 83, 98(2) and 116(2) of the Prohibition Act.
2. Learned Advocate for the applicants submitted that the quantity of muddamal articles seized is to the tune of Rs.30,12,800/- and considering the nature of offence, it was therefore, prayed that the present application may be allowed and the applicants herein may be released on regular bail.

3. Learned Additional Public Prosecutor, submitted that the applicants were found to be involved in the alleged offence and therefore, prayed that no discretion may be exercised in favour of the applicants.
4. Heard learned Advocates on both the sides and perused the material on record. Considering the facts and circumstances of the case, this Court finds this to be a fit case where discretion could be exercised in favour of the applicants.
5. Hence, the present application is allowed. The applicants are ordered to be released on regular bail in connection with C.R. No.11195019220062 of 2022 registered with Deesa Rural Police Station, District Banaskantha on executing a personal bond of **Rs.15,000/- (Rupees Fifteen Thousand only) EACH** with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that they shall;
 - [a] not take undue advantage of liberty or misuse liberty;
 - [b] not act in a manner injurious to the interest of the prosecution;
 - [c] surrender passport, if any, to the lower court within a week;

[d] not leave India without prior permission of the concerned trial court;

[e] furnish the present address of residence to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change the residence without prior permission of the concerned trial court;

6. The authorities shall adhere to its own Circular relating to COVID-19 and, thereafter, will release the applicants only if they are not required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to issue warrant or take appropriate action in the matter. Bail bond to be executed before the lower Court having jurisdiction to try the case.

7. Rule is made absolute to the aforesaid extent. Direct service is permitted. Registry to communicate this order to the concerned Court/authority by Fax or Email forthwith.

Sd/-
(GITA GOPI,J)

CAROLINE